

THE STATE OF TEXAS           §

COUNTY OF CAMERON         §

**BE IT REMEMBERED** on the 2nd day of **DECEMBER, 1997**, there was conducted a **REGULAR Public Meeting of the Honorable Commissioners' Court of Cameron County, Texas, at the Courthouse thereof, in the City of Brownsville, Texas, for the purpose of transacting any and all business that may lawfully be brought before the same.**

**THE COURT MET AT:**

**9:30 A. M.**

**PRESENT:**

**GILBERTO HINOJOSA**  
**COUNTY JUDGE**

**PEDRO "PETE" BENAVIDES**  
**COMMISSIONER, PRECINCT NO. 1**

**CARLOS H. CASCOS, C.P.A.**  
**COMMISSIONER, PRECINCT NO. 2**

**JAMES R. MATZ**  
**COMMISSIONER, PRECINCT NO. 3**

**HECTOR PEÑA**  
**COMMISSIONER, PRECINCT NO. 4**

**Hilda V. Treviño Deputy**  
**COUNTY CLERK**

**ABSENT:**  
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The meeting was called to order by Judge Gilberto Hinojosa. He then asked Mr. Bob Clark, Brownsville resident, for the invocation and Commissioner Cascos to lead the Court and the audience in reciting the Pledge of Allegiance.

The Court considered the following matters as posted and filed for Record in the Office of the County Clerk on November 26, 1997, at 2:44 P.M.:

**(1) APPROVAL OF COUNTY CLAIMS**

At this time, Mr. Mark Yates, County Auditor, presented the following late claims for approval:

Warrant No. 47915, as to Gerardo and Amanda A. Maldonado, in the amount of \$500.00;

Warrant No. 47916, as to Port Isabel Health Clinic, in the amount of \$12,500.00; and

Warrant No. 47917, as to Valle Hermoso Escondido, in the amount of \$7,000.00.

Commissioner Cascos expressed concern as to the Warrant No. 47703, as to Alberto Garcia, in the amount of \$4,000.00, and Warrant No. 47704, as to Joe R. Hernandez, in the amount of \$2,000.00, and whether the Contracts were renewals or additions to the current Contracts.

There was a lengthy discussion regarding the high Court Appointed Attorney's Fees in the County Courts at Law and that the amounts were reaching a maximum in which a Public Defender's Office should be implemented.

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the County Claims were approved as presented by the County Auditor, inclusive of the following late claims:

Warrant No. 47915, in the amount of \$500.00;

Warrant No. 47916, in the amount of \$12,500.00; and

Warrant No. 47917, in the amount of \$7,000.00.

**The Budget Officer's Comments Report is as follows:**



Commissioner Matz expressed concern as to how the medical issues were impacting the Worker's Compensation premiums.

Ms. Salazar stated that the majority of the employees on Worker's Compensation were out with medical expenses and no loss of time. She noted that the premiums were impacted when the medical and loss time were utilized and stated that all the claimed injuries were immediately reported to the provider, in order for the County to have a record of any and all injuries. Ms. Salazar reported that there was an amount of \$140,638.00, in outstanding liability claims as of September 30, 1996, and the amount of \$49,960.00, in claims as of September 30, 1997, noting that the number of claims were decreasing.

Commissioner Cascos expressed concern as to how the stress related injuries were determined and Ms. Salazar responded that said occurrences were determined by the examining physician.

Commissioner Matz moved that the presentation of the Quarterly Report on Worker's Compensation Claims Experience and Analysis from the Personnel/Safety Risk Department be acknowledged.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Reports are as follow:**

**(5) APPROVAL OF THE AGREEMENT (RENEWAL)  
WITH THE UNIVERSITY OF TEXAS MEDICAL  
BRANCH AT GALVESTON FOR HEALTH CARE  
SERVICES**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the renewal Agreement with the University of Texas Medical Branch at Galveston for Health Care Services was approved.

**The Agreement is as follows:**

**(6) IN THE MATTER OF THE CONTRACTS FOR JUVENILE PROBATION PUBLIC DEFENDERS FOR CAMERON COUNTY, TEXAS, FOR MR. ALBERTO GARCIA AND MR. JOSE R. HERNANDEZ (TABLED)**

At this time, Commissioner Cascos expressed concern as to whether the term of the Contracts were for one (1) year and added that the Contracts reflected less than a year term.

Mr. Oscar Ponce, District Attorney's Office, stated that there were problems regarding the availability of the Court Appointed Attorneys which caused delays in the cases being tried and noted that the cost of retaining the Court Appointed Attorneys was near the amount necessary for the implementation of a Public Defender's Office.

Commissioner Cascos suggested that this Item be Tabled and that the matter be discussed with the Juvenile Board. He expressed his opposition as to the Contracts to provide Legal Services if said individuals currently maintained Contracts in other related areas and added that the Juvenile Board should locate interested Attorneys, in order to maintain each Attorney with only one (1) Contract.

Commissioner Matz suggested that the matter should be Tabled and that the County Auditor should review the concept and cost of implementing a Public Defender's Office.

Mr. Mark Yates, County Auditor, recommended that the most of the Court Appointed Attorneys be under a Contract and noted that the per diem could be assigned and paid without budgetary limits for the Attorneys without a Contract.

Judge Hinojosa reiterated that most of the Court Appointed Attorneys were not under Contracts with the District Courts and that the Attorneys were compensated on a per case basis. He noted that said program had been in existence for the last ten (10) years, noting that there had never been a problem with the availability of Attorneys and added that there should not be Contracts in the Misdemeanor Courts, due to the low demand of Court Appointed Attorneys.

Commissioner Peña questioned whether a Policy could be implemented regarding said matter and Judge Hinojosa stated that the Commissioners' Court would be dictating to the Judges on managing their Courts if a Policy was created.

Commissioner Cascos expressed concern as to whether the Court had the latitude regarding the approval of Contracts and noted that the Court Appointed Attorneys were selected by the presiding Judges.

Mr. Doug Wright, Commissioners' Court Legal Counsel, stated that the Commissioners' Court had the discretion of requiring certain conditions of the Contract and added that the Court could reduce the size of the



**(8) APPROVAL OF THE AGREEMENT TO PROVIDE INFORMATION SERVICES TO ENTITIES THROUGH THE DISTRICT CLERK INFORMATION SYSTEM, AND AUTHORIZATION TO PROCEED**

At this time, Ms. Aurora De La Garza, District Clerk, stated that the Contract had been revised with the necessary corrections as to the payments to be made prior to the initiation of the service, the payment period of invoices, the estimated Revenue and Expenses Worksheet and the security features.

Ms. Dylbia Jefferies-Vega, County Counsel, noted that the District Clerk had been advised of the additional corrections to be made as to Section 3.07 and added that the payments should be made payable to the County Treasurer, as opposed to the District Clerk.

Commissioner Cascos questioned the relationship between the County Clerk's current Project regarding the Web Site and said Project and Mr. Eric Garza, District Clerk's Office, explained that the County Clerk's Office Web Site posted information on the Internet and that the District Clerk's Information System was an interactive system in which the information was requested.

Commissioner Cascos expressed concern as to the security issues and Mr. Norio Nishiguchi, Computer Center Director, confirmed that the Information System could only be accessed with a password through a Contract.

Commissioner Matz questioned whether the costs of the Project had been reviewed and Mr. Mark Yates, County Auditor, responded that the list of the equipment and costs would be submitted to the Computer Center for review.

Mr. Garza stated that the District Clerk's Office currently had some of the necessary equipment and added that the cost of a new computer was for upgrading the Project and would be purchased through the Computer Center.

Commissioner Cascos questioned how the revenues would be monitored and Mr. Yates responded that there would be a separate Revenue Item for the Project. He recommended that the revenues be utilized for future enhancements to the Project and that the additional trunk lines be funded from the incoming revenues.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the Agreement and authorization to proceed were approved, in order to provide Information Services to entities through the District Clerk's Information System, noting that Section 3.08, be amended to reflect payments payable to the County Treasurer.



**(9) AUTHORIZATION TO MODIFY THE DISTRICT CLERK'S OFFICE JURY SUMMONS DONATION ENTITY FROM PEOPLE AGAINST VIOLENT CRIMES TO CAMERON VICTIMS ASSISTANCE, AS PER REQUEST BY MR. W. P. PEABLES, JR., CHAIRMAN, CAMERON VICTIMS ASSISTANCE**

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the District Clerk's Office Jury Summons Donation Entity was modified from People Against Violent Crimes to Cameron Victims Assistance, as per the request by Mr. W.P. Peables, Jr., Chairman, Cameron Victims Assistance.

**(10) APPROVAL OF THE AMENDED INTERLOCAL AGREEMENT BETWEEN CAMERON COUNTY AND THE CITY OF LA FERIA TO PAVE NORTH PARKER ROAD IN LA FERIA**

Commissioner Cascos moved that the amended Interlocal Agreement between Cameron County and the City of La Feria to pave North Parker Road in La Feria be approved.

The motion was seconded by Commissioner Benavides and carried unanimously.

**(11) AUTHORIZATION TO ADVERTISE FOR BIDS TO REPLACE THE PARKS SYSTEM EQUIPMENT**

At this time, Commissioner Cascos suggested that the advertisement of bids should be deferred until the County made the decision of whether or not to roll back the Park Entry Fees and adjusted the Capital Improvement Fund, as a result of the Fees.

Mr. Mark Yates, County Auditor, stated that the basic infrastructures were necessary to provide services for the improvements and maintenance of the County Parks, noting that the garbage collection trucks were in desperate need of repair.

Commissioner Cascos moved that the Bids be advertised to replace the following Parks System equipment, subject to the availability of funds:

- a) Wheel Loader with enclosed Cab (with trade);
- b) Four Wheel Drive Beach Cleaning Tractor with Bucket (with trade);
- c) Four Wheel Drive 4-Door Beach Patrol Utility Vehicle (with trade); and
- d) Four Wheel Drive 4x4 Beach Patrol Utility Vehicle (with trade).

The motion was seconded by Commissioner Benavides and carried unanimously.

**(12) AUTHORIZATION TO LOCATE CHRISTMAS DECORATED COLLECTION BOXES IN THE COUNTY BUILDINGS FOR THE 1997 CAMERON COUNTY TOYS FOR TOTS CHRISTMAS CAMPAIGN**

At this time, Judge Hinojosa notified the audience that the County was planning the First Annual Christmas Dinner and Dance on December 17, 1997, for the County employees and added that the Elected Officials would be asked for donations.

Upon motion by Commissioner Matz, seconded by Commissioner Cascos and carried unanimously, various locations in the County Buildings were approved for the Christmas Decorated Collection Boxes for the 1997 Cameron County Toys for Tots Christmas Campaign.



**(13) AUTHORIZATION OF CHANGE ORDER NO. 1 BETWEEN CAMERON COUNTY AND PEACOCK CONSTRUCTION TO UPGRADE ROOFING MATERIAL FOR THE SEA RANCH SOUTH RESTROOMS AND TO REPLACE EXISTING DOORS**

At this time, Mr. Kenneth Conway, Parks System Director, stated that the funds would be allocated from undesignated Bond Funds and noted that the Contract exceeded the proposed Budget.

Commissioner Benavides moved that Change Order No. 1 between Cameron County and Peacock Construction be approved to upgrade roofing material for the Sea Ranch South restrooms and to replace existing doors, said funding to be allocated from undesignated Bond Funds.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Contract is as follows:**

**(14) AUTHORIZATION TO APPROVE THE CHANGE ORDER FOR THE LOS TOMATES/MATAMOROS INTERNATIONAL BRIDGE**

At this time, Mr. Juan Bernal, County Engineer, explained that the Change Order was necessary for a "concrete rip rap" to be placed under the Bridge, in order to prevent erosion.

Commissioner Cascos expressed concern as to why the matter had not been anticipated at the beginning of the Bridge construction and noted that the issue should have been factored into the construction plans.

Upon motion by Commissioner Cascos, seconded by Commissioner Peña and carried unanimously, the Change Order for the Los Tomates/Matamoros International Bridge was approved.



**(15) AUTHORIZATION TO ACCEPT CHANGE ORDER NO. 1 FOR THE ADULT PROBATION OFFICE PROJECT**

Commissioner Cascos moved that Change Order No. 1 be accepted for the Adult Probation Office Project.

The motion was seconded by Commissioner Benavides and carried unanimously.



**(16) IN THE MATTER OF A RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY'S OFFICE TO SUBMIT A CONTINUATION APPLICATION TO THE GOVERNOR'S OFFICE CRIMINAL JUSTICE DIVISION FOR THE ADJUDICATION OF DRUG OFFENDERS PROJECT, ALSO KNOWN AS, DRUG IMPACT COURT (TABLED)**

At this time, Mr. Frank Bejarano, Program Development and Management Director, explained that the Continuation Application required a twenty-five percent (25%) match from the County and noted that the funds were allocated from the Drug Forfeiture Funds in previous years. He stated that the District Attorney's Office had expressed concern as to the Drug Forfeiture and requested direction from the Court as to a designated local match, in order to continue with the submission of the Application, noting that the deadline was December 19, 1997.

Commissioner Cascos stated that the Resolution required the County to commit a source of funds for the Continuation Application and added that the Court was not ready to make a determination of funds.

Ms. Yolanda de Leon, District Attorney, stated that District Attorney's Budget did not have sufficient funds to fund the Program, due to the number and costs of commitments made for the following year, noting that the incoming funds from Fund No. 90 were not sufficient to fund the Program. She noted that a legal conflict existed concerning the funding of said matter and added that the decisions made in the Court have a direct bearing on the cases that generated

the funds, which was problematic. Ms. de Leon stated that the District Attorney's Office would not be able to continue to fund all the Programs which were committed to by the past District Attorney's Administration. She noted that the District Attorney's Office had alerted the Court regarding said matter, in order to provide the Court with plenty of time to designate alternate funding.

Mr. Mark Yates, County Auditor, stated that the County would be required to fund an additional amount of \$24,000.00, which was not appropriated in the Budget, in order to continue the Program.

Judge Hinojosa stated that he was unaware of a Attorney General opinion regarding the Legal conflict and added that the entire County Judicial System received funding through revenues generated from the District Attorney's Office. He stated that part of the funding was allocated to the District Courts and the District Attorney's operation, noting that there was not a legal conflict regarding said matters.

Commissioner Cascos expressed concern regarding the contract expiration date not being anticipated, in order for the Court to determine an alternate source of funding during the Budget process and suggested that a mechanism should be created to alert the Court regarding expiration of Contracts.

Ms. de Leon suggested that the District Attorney's Office Lapsed Salaries Fund, up to the month of May, could be utilized to fund the amount of \$24,000.00, and added that an alternate sources of funding should be addressed.

Commissioner Cascos suggested that the Item should be Tabled for further review and noted that the Court had committed Lapsed Salaries for the Boot Camp Project being unaware that there would be a \$24,000.00 shortfall. He suggested that the Department Heads and Elected Officials should be aware of the Grants funded by the Departments in a timely manner, in order to appropriately adjust the Budget and that the County Auditor should plan the appropriation of the County's match for the current and following years.

Judge Hinojosa stated that the commitment had been made based upon Drug Forfeiture Funds by the prior District Attorney and added that an alternate funding source was not available, due to future commitments of the County. He stated that a new District Court had been requested by the State and he added that the matter should be Tabled indefinitely. Judge Hinojosa recommended that vacancies within the Courts should be determined, in order to place the Drug Impact Court staff.

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, this Item was **(TABLED)**.

At this time, Commissioner Cascos stated that the Item should be Tabled, in order to give the County Auditor the opportunity to locate alternate funds for the Program, noting that if the funds were not located, the matter would die.

There was some discussion regarding the number of cases tried in the Drug Impact Court and the suggestion was made that the creation of the new County Court should absorb some of the cases from the Drug Impact Court.

Commissioner Cascos suggested that the Item be submitted to the Court if there was an alternative funding source and added that if the funds were not available the matter would die.

Upon motion duly made by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, this Item was **(TABLED)**.



**(17) APPROVAL OF THE IMPLEMENTATION AGREEMENT WITH THE COMMUNITY DEVELOPMENT CORPORATION OF BROWNSVILLE FOR THE 1996 DISASTER RELIEF HOME REPAIR PROGRAM**

**(18) APPROVAL OF THE IMPLEMENTATION AGREEMENT WITH CAMERON-WILLACY COUNTIES COMMUNITY PROJECTS, INCORPORATED, FOR THE 1996 DISASTER RELIEF HOME REPAIR PROGRAM**

At this time, Mr. Frank Bejarano, Program Development and Management Director, stated that a Grant was received by the State for Disaster Relief for owner occupied households and noted that the Contract with the Community Development Corporation of Brownsville, in the amount of \$125,000.00, would allow twenty-five (25) homes to be repaired, in the amount of \$5,000.00, each. He noted that the hard costs of the Project had been increased for an allowance since the Building Permit Fees would not be waived and he added that the administrative costs by the Program Development and Management Department and the Auditor's Office would be in the amount of \$2,000.00 to \$3,000.00. Mr. Bejarano stated that the work done by the Community Development Corporation of Brownsville would be monitored by periodic inspections performed by the County and that the proper documentation of the specific work would be submitted to the County.

At this time, Mr. Jose Almazan, Valle Escondido resident, stated that the Cameron Park and Las Palmas Colonias had not been damaged by the 1996 floods and expressed concern as to why the Colonias were receiving the funds from said Program.

Mr. Bejarano stated that the Community Development Corporation of Brownsville was the self-help provider for the four (4) self-help Colonias under the Program in Cameron County and stated that the Contract allowed the self-

help Colonias to receive funding from the Program. He noted that the Disaster Relief Home Repair Program included all rural Cameron County and added that any Colonia that was damaged was eligible for the funds.

Commissioner Cascos clarified that the amount of \$125,000.00, would be allocated to the self-help Colonias and that the amount of \$375,000.00, would be allocated among any rural area in the County. He stated that the main concentration was on the self-help Colonias and expressed concern as to why there were less funding being allocated to said Colonias.

Mr. Bejarano stated that the damage assessment performed reported 1,800 units damaged and added that the funds were being spread out, in order to allow all the Colonias to receive equal funding.

There was some discussion regarding the allocation of the grant funds between the Colonias and Commissioner Cascos suggested that the homes that were not damaged should be factored out and determine an equal allocation percentage among the rural areas.

Judge Hinojosa questioned whether the homes damaged the most could be prioritized and Mr. Don Currie, Community Development Corporation of Brownsville, responded that said Program was being added to other existing home improvement funds available, in order to offer a higher cost to repair the homes.

Mr. Currie stated that the funds were not anticipated to be utilized in the Cameron Park area, noting that Cameron Park had not been damaged severely during the floods and added that there was still grant funds available for Cameron Park. He stated that an assessment would be performed to determine the type of work to be done for the repairs.

Judge Hinojosa stated that Mr. Bejarano and the Community Development Corporation of Brownsville were intending to maximize the funds available to address the issues and added that the funds would be equally allocated after a fair assessment of the homes.

At this time, Mr. Francisco Sinfuentes, Brownsville resident, expressed his concerns regarding the manner in which the homes were being built in the Colonias.

Commissioner Cascos clarified that the Agreement included forgivable loans, in the amount of \$5,000.00, which was basically a grant and added that the available loans had a zero percent (0%) interest over a ten (10) year period.

Judge Hinojosa stated that the Community Development of Brownsville would prioritize Valle Escondido and added that the concerns addressed would be administratively reviewed and resolved by the Corporation.

Mr. Currie stated that the homes being built in the Colonias were routinely inspected by building inspectors and met the codes based on County Building Standards.

Commissioner Cascos stated that the County Engineer should examine the homes being built and address the issues, in order to bring the homes up to County Standards.

Commissioner Matz moved that the Implementation Agreement with the Community Development Corporation of Brownsville and the Cameron-Willacy Counties Community Projects, Incorporated, for the 1996 Disaster Relief Home Repair Program be approved, as recommended by the Program Development and Management Department .

The motion was seconded by Commissioner Peña and carried unanimously.

**The Agreement is as follows:**

**(19) APPROVAL OF THE CONTRACT FOR SERVICES BETWEEN THE CAMERON COUNTY HEALTH DEPARTMENT (ENVIRONMENTAL HEALTH DIVISION) AND SAFE GUARD PEST CONTROL, ACTING THROUGH JUAN MARTINEZ AND DONALD J. ALONGI, FOR BEE ERADICATION**

Commissioner Matz moved that the Contract be approved for Services between the Cameron County Health Department (Environmental Health Division) and Safe Guard Pest Control, acting through Juan Martinez and Donald J. Alongi, for Bee Eradication.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Contract is as follows:**

## **CONSENT AGENDA ITEM**

**THE FOLLOWING ITEMS WERE RECOMMENDED FOR "CONSENT" AND WERE EITHER RECOMMENDED BY THE DEPARTMENT HEAD, WITHIN BUDGET OR AWARDED TO THE LOW BIDDER:**

Upon motion by Commissioner Cascos, seconded by Commissioner Benavides and carried unanimously, the "Consent" Agenda Items were approved as follow:

**(20) APPROVAL OF TRAVEL AND/OR TRAVEL EXPENSES FOR THE FOLLOWING, SUBJECT TO FUNDS IN THEIR BUDGET, NOTING THAT THE TRAVEL WAS SUBJECT TO ALL APPLICABLE COUNTY POLICIES:**

- a) District Attorney Criminal Investigator to attend the "Identification Officers School" in Austin, Texas, on January 18-31, 1998;
- b) Health Department employee to attend "Training on Supervision in Clinical Settings" in Harlingen, Texas, on December 11, 1997;
- c) Parks System Director to give a Recruitment Presentation at Texas Southwest College to the Parks and Recreation Graduating Class on Career Opportunities with the Cameron County Parks System in San Marcos, Texas, on November 19-20, 1997;
- d) Sheriff's Department employee to attend the "Law Enforcement Firearms Instructor Course" in Bryan, Texas, on December 8-12, 1997;
- e) Juvenile Justice Alternative Education Program Coordinator to attend an "Organizational Meeting for the Juvenile Justice Alternative Education Program" in Austin, Texas, on November 13, 1997;
- f) Juvenile Probation Intensive Supervision Officer to attend the "3rd Annual ISP Basic Workshop" in San Antonio, Texas, on December 7-10, 1997; and
- g) County Judge Administrative Assistant to attend the "Statewide Open Government Conference" in Austin, Texas, on January 12-14, 1997.

**(21) APPROVAL OF THE PURCHASE WITHOUT THE PURCHASE ORDER**

- a) **TEXAS DISTRICT AND COUNTY ATTORNEY ASSOCIATION - IN THE AMOUNT OF \$525.00**

**(22) AUTHORIZATION TO OPEN BIDS FOR TURNSTILES - BRIDGE DEPARTMENT**

**The Bids received and opened are as follow:**

**(23) FINAL APPROVAL**

**a) Precinct No. 4**

Resaca Paloma Subdivision No. 1 - a subdivision of 88.818 acres and being all of Lot No. 31, as per the map of Rice Tract Subdivision, recorded in Volume 9, Page No. 3, C.C.M.R. and all of Blocks No. 32 and No. 33, 7.25 acres in Block No. 34, 11.16 acres in Block No. 35 and 11.36 acres in Block No. 36, all as per the partial amended plat of Rice Tract Subdivision, recorded in Cabinet No. 1, Slot No. 191-B.

**(24) IN THE MATTER OF EXECUTIVE SESSION  
(TABLED)**

- f) In the matter of the case styled Natalia Flores vs. Cameron County, et. al., Civil Action No. B-88-145, to discuss the status and authorize the settlement offer and the mediation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (1)(A)(B). **(TABLED)**

**(25) IN THE MATTER RELATIVE TO EXECUTIVE  
SESSION (TABLED)**

- f) In the matter of the case styled Natalia Flores vs. Cameron County, et. al., Civil Action No. B-88-145, to discuss the status and authorize the settlement offer and the mediation. **(TABLED)**

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, this Item was **(TABLED)**.

**(24) EXECUTIVE SESSION**

Upon motion by Commissioner Matz, seconded by Commissioner Peña and carried unanimously, the Court met in Executive Session at 11:30 A.M. to discuss the following matters:

- a) Deliberation regarding the Real Property to discuss the extension of the Concession Agreement with Sonny Gentry, doing business as, Sonny's Beach Service and possible approval of the Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- b) Deliberation regarding the Real Property to discuss the extension of the Concession Agreement with Juan J. Martinez, doing business as, Jetties Bait Stand and possible approval of the Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- c) Deliberation regarding the Real Property to discuss the extension of the Concession Agreement with Daniel Bryant, doing business as, Island Fun Spot and possible approval of the Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;
- d) Confer with County Counsel concerning the deliberation of the Real Property regarding Charlie's Paradise Bar Concessionaire Agreement and possible approval of the Agreement; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.072;

- e) Confer with County Counsel concerning the Los Tomates Bridge Project and outside Counsel representation; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.071 (2);
- g) To interview for the position of the Personnel/Safety Risk Director; pursuant to Vernon Texas Code Annotated (V.T.C.A.), Government Code, Section 551.074.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, the Court reconvened in Regular Session at 1:53 P.M.

**(25) ACTION RELATIVE TO EXECUTIVE SESSION**

- a) Deliberation regarding the Real Property to discuss the extension of the Concession Agreement with Sonny Gentry, doing business as, Sonny's Beach Service and possible approval of the Agreement;
- b) Deliberation regarding the Real Property to discuss the extension of the Concession Agreement with Juan J. Martinez, doing business as, Jetties Bait Stand and possible approval of the Agreement; and
- c) Deliberation regarding the Real Property to discuss the extension of the Concession Agreement with Daniel Bryant, doing business as, Island Fun Spot and possible approval of the Agreement.

Upon motion by Commissioner Benavides, seconded by Commissioner Peña and carried unanimously, Concession Agreements with Sonny Gentry, doing business as, Sonny's Beach Service, Juan J. Martinez, doing business as, Jetties Bait Stand, and Daniel Bryant, doing business as, Island Fun Spot were approved, noting that the terms as to two (2) years on Item "a", one (1) year on Item "b" and one (1) year on Item "c", with modification of use.

**The Agreement is as follows:**

- d) Confer with County Counsel concerning the deliberation of the Real Property regarding Charlie's Paradise Bar Concessionaire Agreement and possible approval of the Agreement.

Commissioner Matz moved that the County Judge be authorized to sign the modified Concession Agreement with Charlie's Paradise Bar.

The motion was seconded by Commissioner Peña and carried unanimously.

**The Agreement is as follows:**

- e) Confer with County Counsel concerning the Los Tomates Bridge Project and outside Counsel representation.

Commissioner Benavides moved that payment be approved for the Attorney's fees as invoiced, pursuant to the terms and conditions as outlined in Executive Session.

The motion was seconded by Commissioner Peña and carried as follows:

**AYE:** Commissioners Benavides, Cascos and Peña

**NAY:** Commissioner Matz.

- g) To interview for the position of the Personnel/Safety Risk Director.

Commissioner Benavides moved that Mr. Manuel Villarreal be retained for the position of the Personnel/Safety Risk Director, noting that the salary be negotiated.

The motion was seconded by Commissioner Peña and carried as follows:

**AYE:** Commissioners Benavides, Peña and Judge Hinojosa

**NAY:** Commissioner Matz

**ABSTAINED:** Commissioner Cascos.

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There being no further business to come before the Court, upon motion by Commissioner Benavides, seconded by Commissioner Cascos and carried unanimously, the meeting was **ADJOURNED**.

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**APPROVED** this **12th** day of **January, 1998**.

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**COUNTY JUDGE**

**ATTEST:**

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**COUNTY CLERK AND EX-OFFICIO CLERK  
OF THE COMMISSIONERS' COURT OF  
CAMERON COUNTY, TEXAS.**